CHIEF OF DETECTIVES

NOTICE
1.8

March 3, 2017

TO: All Concerned Personnel

FROM: Chief of Detectives

SUBJECT: SUPPLEMENTAL PROCEDURES FOR FILING A CRMINAL CASE WITH THE LOS ANGELES DISTRICT ATTORNEY'S OFFICE - PERKINS OPERATIONS

A properly conducted Perkins Operation is a vital investigative tool that can yield valuable information without compromising the constitutional rights of an individual. The County of Los Angeles Deputy District Attorney's (DDA) Office created Special Directive 17-04; *Perkins Operations*, to establish uniform procedures, safeguard the constitutional rights of all defendants, ensure the safety of all parties involved in the operation, and promote the ethical and fair prosecution of criminal cases. Effective immediately, investigating officers (I/O) shall follow the below listed procedures when filing a case involving a Perkins Operation:

- Advise the filing DDA a Perkins operation was conducted (the filing I/O does not need to disclose the identity of a Perkins agent to the filing DDA);
- After filing a case with the DDA, the Perkins agent's handler shall provide the identity of the Perkins agent to the DDA Perkins Coordinator [This will ensure compliance with Penal Code Section 1054 and Brady vs. Maryland (1963) 373 US 83];
- If a case does not have sufficient evidence for a filing without the Perkins statement, the I/O shall provide an audio/video recording for DDA's review prior to the case being filed; and,
- If a Perkins operation is not disclosed in the reports at the time of filing, I/O shall prepare a supplemental report detailing the Perkins operation, including the following but not limited to, the date, the location of the operation, and a summary of the Perkins statement. The supplemental report and a copy of the recording of the Perkins statement shall be submitted to the filing DDA.

NOTE: A filing based only on a Perkins statement, without corroboration, requires a Head Deputy approval.

Should you have any questions, please contact Detective III Adrienne Hamilton, Officer in Charge, Investigative Analysis Section at (213) 486-7010.

JUSTIN EISENBERG, Deputy Chief
Chief of Detectives

APPROVED:

SEAN W. MALINOWSKI, Deputy Chief
Chief of Staff
Office of Chief of Police

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